

IN RE: PETITION FOR ZONING VARIANCE
SW/S Millers Island Blvd., 1120'
SE of the c/l of 10th Street
(8941 Millers Island Blvd.)
15th Election District
7th Councilmanic District
Gloria P. Brown
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-262-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit an existing shed to be located 5 feet from the right-of-way line of a public road in lieu of the minimum required 25 feet and 1 foot from a side lot line in lieu of the minimum required 2.5 feet, in accordance with Petitioner's Exhibit 1.

The Petitioner appeared and testified. Also appearing on behalf of the Petition were Frank and Allison Brown, Petitioner's son and daughter-in-law. There were no Protestants.

Testimony indicated that the subject property, known as 8941 Millers Island Boulevard, consists of 6,000 sq.ft. more or less zoned D.R. 5.5 and is improved with a single family dwelling and shed. Said property is located within the Chesapeake Bay Critical Areas near Cuckold Point. Petitioner testified she purchased the subject property approximately 5 years ago for her son and daughter-in-law who have rented the property since November 1986. Testimony indicated that last summer, Petitioner's son constructed an 10' x 14' shed in the rear yard of the subject property approximately 5 feet from the rear property line. Thereafter, as a result of a complaint filed with the Zoning Enforcement Division of this Office, the Petitioner was advised to file the instant Petition to permit the shed to remain in its present location. Petitioner testified the shed is used

for storage purposes and that there is no plumbing or electric. Testimony indicated that the shed could not be placed in strict compliance with the zoning regulations due to the existence of a large tree in the center of the rear yard and power lines which run across the rear of the property as depicted in photographs submitted as Petitioner's Exhibit 3. Petitioner testified the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community. In support of her position, Petitioner introduced a signed statement from adjoining and affected property owners, marked Petitioner's Exhibit 2, indicating they have no objection to the location of the shed.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested

will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land or building use, either permitted or non-conforming, on another property. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and, upon compliance with the comments submitted by J. James Dieter, Director of the Department of Environmental Protection and Resource Management (DEPRM) dated April 1, 1991, will conform to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the

health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 1st day of May, 1991, that the Petition for Zoning Variance to permit an existing shed to be located 5 feet from the right-of-way line of a public road in lieu of the minimum required 25 feet and 1 foot from a side lot line in lieu of the minimum required 2.5 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated April 1, 1991, attached hereto and made a part hereof.

ORDER RECEIVED FOR FILING
Date 5/1/91
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/1/91
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/1/91
By [Signature]

ORDER RECEIVED FOR FILING
Date 5/1/91
By [Signature]

- 2 -

- 3 -

- 4 -

IT IS FURTHER ORDERED that Petitioner shall submit proof of compliance with Regulations and Findings 3 and 5 of same comments within sixty (60) days of the date of this Order.

ANN:bjs

[Signature]
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 1, 1991

Ms. Gloria P. Brown
4300 Webster Lapidum Road
Bavre De Grace, Maryland 21078

RE: PETITION FOR ZONING VARIANCE
SW/S Millers Island Boulevard, 1120' SE of the c/l of 10th Street
(8941 Millers Island Boulevard)
15th Election District - 7th Councilmanic District
Gloria P. Brown - Petitioner
Case No. 91-262-A

Dear Ms. Brown:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

[Signature]
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

cc: Mr. & Mrs. Frank Brown
8941 Millers Island Boulevard, Baltimore, Md. 21219

People's Counsel

File

ORDER RECEIVED FOR FILING
Date 5/1/91
By [Signature]

- 5 -

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-262-A CRITICAL AREA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 (B.C.Z.R.) as referenced by Zoning Policy S-5 and from S.400.1 (B.C.Z.R.) to permit an existing shed to be located 5 ft. from the right-of-way line of a public road in lieu of the required 25 ft. and to be located 1 ft. from a side lot line in lieu of the required 2.5 ft. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations.

I or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I We do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	(Type or Print Name)
Signature	Signature
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	
(Type or Print Name)	Address Phone No.
Signature	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State	Name
Attorney's Telephone No.:	Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 5 day of DEC 19 90, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19 day of FEB 19 91, at 10 o'clock

10 A.M.
FILED 11/13/90 BY JLL
ANY TIME OR DAY
1/2 HR. HEARING TIME.
[Signature]
Zoning Commissioner of Baltimore County
(over)

CRITICAL AREA

The location of hardwood tree, utility pole and power line in rear yard, do not make it feasible to put shed in an, other location.

203

CRITICAL AREA

ZONING DESCRIPTION
 BEGINNING AT A POINT ON THE SOUTH WEST SIDE OF MILLERS
 ISLAND BLVD AT A DISTANCE OF 1120' FT SOUTH EAST OF THE
 INTERSECTION OF THE CENTERLINES OF MILLERS ISLAND BLVD AND
 10TH STREET BEING KNOWN AS 8941 MILLERS ISLAND BLVD
 IN THE 15TH ELECTION DISTRICT.
 6,000 SQUARE FT.

 CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

91-767-H

District: 15th Date of Posting: 2/14/91
 Posted for: Variance
 Petitioner: Gloria Patricia Brown
 Location of property: 8941 Millers Island Blvd., 1120' SE of c/l 10th St.
 Location of Sign: Along Millers Island Blvd., across 10th St.
 Remarks: See copy of Petition
 Posted by: [Signature] Date of return: 2/5/91
 Number of Signs: 1

 Baltimore County
 Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

 Account: R-001-6150
 Number

No 3873

Date

CRITICAL AREA

DATE OF POSTING: 2/14/91
 AMOUNT OF POSTING FEES: 00
 AMOUNT OF POSTING FEES: 00
 TOTAL: 00.00
 LAST NAME OF OWNER: BROWN

 0443490003810480 \$55.00
 8-1000-139-11-13-70

Cashier Validation:

Please make checks payable to: Baltimore County BUSINESS DAY

 Baltimore County
 Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

 Account: R-001-6150
 Number

receipt

Date

91-262

Please Make Checks Payable To: Baltimore County

Cashier Validation

 Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

 111 West Chesapeake Avenue
 Towson, MD 21204

887-3353

DATE: 2/14/91
 Gloria Patricia Brown
 4300 Webster Lapidum Road
 Havre De Grace, MD 21078

 RE:
 Case Number: 91-262-A
 SW/S Millers Island Boulevard, 1120' SE of c/l 10th Street
 8941 Millers Island Boulevard
 15th Election District - 7th Councilmanic
 Petitioner(s): Gloria Patricia Brown
 HEARING: TUESDAY, FEBRUARY 19, 1991 at 10:00 a.m.

Dear Petitioner(s):

Please be advised that \$72.50 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

 J. ROBERT HAINES
 ZONING COMMISSIONER
 BALTIMORE COUNTY, MARYLAND

 Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

 111 West Chesapeake Avenue
 Towson, MD 21204

887-3353

January 8, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

 Case Number: 91-262-A
 SW/S Millers Island Boulevard, 1120' SE of c/l 10th Street
 8941 Millers Island Boulevard
 15th Election District - 7th Councilmanic
 Petitioner(s): Gloria Patricia Brown
 HEARING: TUESDAY, FEBRUARY 19, 1991 at 10:00 a.m.

Variance to permit an existing shed to be located 5 feet from the right-of-way line of a public road in lieu of the required 25 feet and to be located 1 ft. from a side lot line in lieu of the required 2-1/2 ft.

 J. ROBERT HAINES
 Zoning Commissioner of
 Baltimore County

cc: Gloria Patricia Brown

 Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

 111 West Chesapeake Avenue
 Towson, MD 21204

887-3353

January 6, 1991

 Ms. Gloria P. Brown
 4300 Webster Lapidum Road
 Havre De Grace, MD 21078

 RE: Item No. 203, Case No. 91-262-A
 Petitioner: Gloria P. Brown
 Petition for Zoning Variance

Dear Ms. Brown:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

 Very truly yours,
 James E. Dyer
 Chairman
 Zoning Plans Advisory Committee

JED:jw

Enclosures

 Baltimore County Government
 Zoning Commissioner
 Office of Planning and Zoning

 111 West Chesapeake Avenue
 Towson, MD 21204

887-3353

 Your petition has been received and accepted for filing this
 5th day of December, 1990.

 J. Robert Haines
 J. ROBERT HAINES
 ZONING COMMISSIONER

Received By:

 James E. Dyer
 Chairman,
 Zoning Plans Advisory Committee

Petitioner: Gloria P. Brown

Petitioner's Attorney:

 BALTIMORE COUNTY, MARYLAND
 INTER-OFFICE CORRESPONDENCE

 TO: J. Robert Haines DATE: December 3, 1990
 Zoning Commissioner

 FROM: Pat Keller, Deputy Director
 Office of Planning and Zoning

 SUBJECT: Edith May Souza, Item No. 166
 Earlie E. and Linda R. Towse, Item No. 170
 Roland H. and Darlene Farlow, Item No. 171
 Kwan Woo Lee, Item No. 173
 Harry E. Selsinger, et al., Item No. 175
 Gary D. and Kathleen M. Stewart, Item No. 178
 Dale A. and Cheryl Poletynski, Item No. 181
 Bruce D. and Mary V. Frith, Item No. 182
 Elleen C. Misler, Item No. 183
 William M. and Constance M. Pitcher, Item No. 185
 Key Federal Savings Bank, Item No. 186
 Stephen D. and Wendy K. Mooney, Item No. 189
 Brian D. and Tullia Briscoe, Item No. 193
 Charles Henry and Vickie Jean Wallis, Item No. 195
 Sharon Plaskowski, Item No. 196
 Gary E. Stahl, Item No. 199
 Keith E. and Terri L. Yeager, Item No. 201
 Robert E. and Deborah L. Jennings, Item No. 202
 Gloria P. Brown, Item No. 203
 Robert E. and Karen F. Ege, Item No. 207
 Javad Darbandi, Item No. 208
 Thomas D. and Jeannette Considine, Item No. 209
 Helen M. Yingling, Item No. 214

In reference to the Petitioners' requests, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEMSMUL.TPL/ZAC1

 RECEIVED
 2/16/91

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(801) 887-3554

November 28, 1990



Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers, 167, 200, 203, 204, 206, 208, 210, 211, and 212.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

NSF/lab

Baltimore County
Fire Department
700 East Joppa Road, Suite 301
Towson, Maryland 21204-5300
(801) 887-4500
Paul H. Reinken
Chief

NOVEMBER 28, 1990



J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: GLORIA PATRICIA BROWN
Location: #8941 MILLERS ISLAND BOULEVARD
Item No.: 203 Zoning Agenda: DECEMBER 4, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Paul H. Reinken* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
November 30, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: CHARLES E. BURHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES
SUBJECT: ZONING ITEM #: 203
PROPERTY OWNER: Gloria Patricia Brown
LOCATION: SW/S Millers Island Boulevard, 1120' SE of Centerline 10th St. (#8941 Millers Island Blvd.)
ELECTION DISTRICT: 11th
CONCINNATIC DISTRICT: 7th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMP (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- (X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE). Buildings within 3'-0" of an interior lot line require a minimum of (X) OTHER (1) hour fire rating. See attached sheet for various types of walls that meet this requirement, Section 906.2 (this is a fire separation)

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

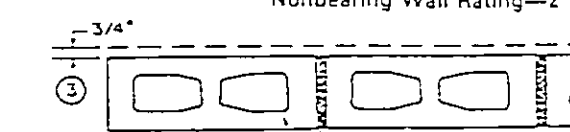
THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

TYPICAL APPROVED ONE HOUR ASSEMBLIES
FOR USE ON RESIDENTIAL BUILDINGS
WITHIN THREE(3) FEET OF PROPERTY LINE
NO OPENINGS ALLOWED / EXTERIOR FINISH REQUIRED

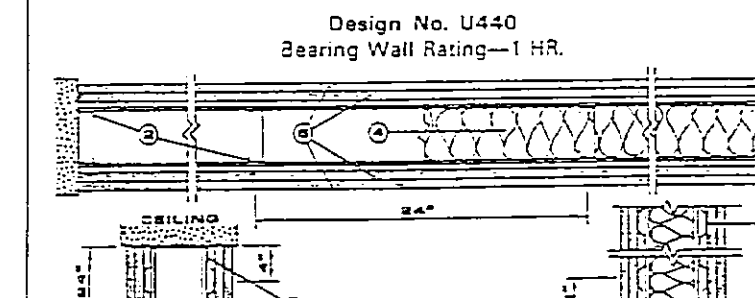
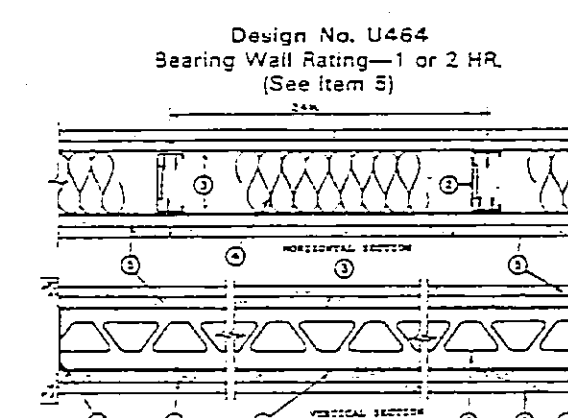
7/11/90

MASONRY WALL * * Max. unsupported height with 6" block is 9 feet. For two stories, block must be 8" or more in thickness. See 1906 CBO, Section 5-404.1.



1. Concrete Block - minimum 8 by 8 by 16 in. hollow or solid. Classification C-12 or C-16.
2. Mortar - 1/2 in. thick, or not less than 1/4 in. thick, and not more than 1/2 in. thick, of portland cement, hydrated lime, sand and not more than 50 percent hydrated lime by cement volume. Various joint shapes.
3. Walling - 1/2 in. thick, or not less than 1/4 in. thick, of portland cement, hydrated lime, sand and not more than 50 percent hydrated lime by cement volume. Various joint shapes.
4. Portland Cement Mortar or Grout - 1/2 in. thick, or not less than 1/4 in. thick, of portland cement, hydrated lime, sand and not more than 50 percent hydrated lime by cement volume.
5. Facing the UL Classification Marking

STEEL STUD WALLS



1. Floor and Ceiling Trusses - 2x8 in. wide, 1x4 in. deep, spaced 16 in. o.c.
2. Floor Joists - 2x8 in. wide, 1x4 in. deep, spaced 16 in. o.c.
3. Wall Studs - 2x4 in. wide, 1x4 in. deep, spaced 16 in. o.c.
4. Sill Plate - 2x4 in. wide, 1x4 in. deep, spaced 16 in. o.c.
5. Top Plate - 2x4 in. wide, 1x4 in. deep, spaced 16 in. o.c.
6. Sheathing - 1/2 in. thick, or not less than 1/4 in. thick, of portland cement, hydrated lime, sand and not more than 50 percent hydrated lime by cement volume. Various joint shapes.
7. Mortar - 1/2 in. thick, or not less than 1/4 in. thick, of portland cement, hydrated lime, sand and not more than 50 percent hydrated lime by cement volume. Various joint shapes.
8. Walling - 1/2 in. thick, or not less than 1/4 in. thick, of portland cement, hydrated lime, sand and not more than 50 percent hydrated lime by cement volume. Various joint shapes.
9. Portland Cement Mortar or Grout - 1/2 in. thick, or not less than 1/4 in. thick, of portland cement, hydrated lime, sand and not more than 50 percent hydrated lime by cement volume.
10. Facing the UL Classification Marking

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: November 27, 1990
FROM: Robert M. Bowling, P.E.
RE: Zoning Advisory Committee Meeting for December 4, 1990

The Development Engineering Division has reviewed the subject zoning item and to have no comments for Items 200, 203, 204, 210 and 212.

For Items 177 and 212, the previous County Review Group comments are still applicable.

For Item 203, the subject site is located in Plot Book 2, Folio 4. Also, the east of lot street property line dimensions appear to be reversed.

For Item 204, the site must be submitted through the minor subdivision process for minor amendments.

Robert M. Bowling
ROBERT M. BOWLING, P.E., Chief
Development Engineering Division

FOR:

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines DATE: April 1, 1991
Zoning Commissioner
FROM: Mr. J. James Dieter, Director
SUBJECT: Petition for Zoning Variance - Item 203
Brown Property
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 8941 Millers Island Blvd. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Ms. Gloria Patricia Brown

APPLICANT PROPOSAL

The applicant has requested a variance from section 1802.3.C.1 of the Baltimore County Zoning Regulations to permit a shed to be located five feet from the right-of-way line of a public road in lieu of the required 25 feet and to be located 1 foot from a side lot line in lieu of the required 21.5 feet.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.D>

Memo to Mr. J. Robert Haines
April 1, 1991
Page 2

REGULATIONS AND FINDINGS

1. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Sec. 22-216(a)>.

Finding: This property is located approximately 500 feet from the tidal waters of the Chesapeake Bay. Therefore, no disturbance of the shoreline shall occur.

2. Regulation: "No dredging, filling, or construction in any wetland shall be permitted. Any wetland must be adequately protected from contamination" <Baltimore County Code Sec. 22-98>

Finding: No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site.

3. Regulation: "The sum of all man-made impervious areas shall not exceed 15% of the lot" <COMAR 14.15.02.04 C.7>.

Finding: The proposed shed increases the sum of impervious surfaces to 15%. The existing driveway is in poor condition, so the applicant agrees to replace at least 164 square feet of the driveway with gravel. The property shall remain below the 15% impervious surface limitation.

4. Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland of at least 15%" <COMAR 14.15.02.04 C.5>.

Finding: The property has existing forest cover of at least 15%. Therefore, no additional trees need to be planted.

5. Regulation: "The stormwater management system shall be designed so that:

- (1) Development will not cause downstream property, watercourses, channels or conduits to receive stormwater runoff at a higher rate than would have resulted from a ten year frequency storm if the land had remained in its predevelopment state;
- (2) Infiltration of water is maximized throughout the site, rather than directing flow to single discharge points; and
- (3) Storm drain discharge points are decentralized to simulate the predevelopment hydrologic regime.

Memo to Mr. J. Robert Haines
April 1, 1991
Page 3

(4) There is sufficient storage capacity to achieve water quality goals of COMAR 14.15 and to eliminate all runoff caused by the development in excess of that which would have come from the site if it were in its predevelopment state" <Baltimore County Code, Section 22-217(h)>.

Finding: In order to comply with the above regulation, rooftop runoff shall be directed through downspouts and into Dutch drains or seepage pits (see attached drainage information sheet). This will encourage maximum infiltration of stormwater and decrease the amount of runoff leaving the site.

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above. This proposal is in compliance with Chesapeake Bay Critical Area Regulations and is therefore approved.

If there are any questions, please contact Mr. David C. Flowers at 887-2904.

J. James Dieter
J. James Dieter, Director

JUD:DCF:ju
Attachment

cc: The Honorable Vincent Gardina
The Honorable Donald Mason
Mr. Ronald B. Hjerpe
Mrs. Janice B. Outen

Baltimore County
Zoning Commission
Office of Planning & Zoning
Townson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

91-262-A

November 14, 1990



Dennis F. Rasmussen
County Executive

Gloria Patricia Brown
4300 Webster Lapidum Road
Havre De Grace, Maryland 21078

RE: Petition, Item #203
Miller Island Boulevard

Dear Ms. Brown:

This correspondence is to advise you that your zoning petition has been filed by this office under Item #203.

As the property owner, your presence will be required at the forthcoming zoning hearing. You will receive notice of the time, date, and fee charges well in advance of the hearing date.

If you have any questions, please do not hesitate to call me at 887-3391.

Very truly yours,

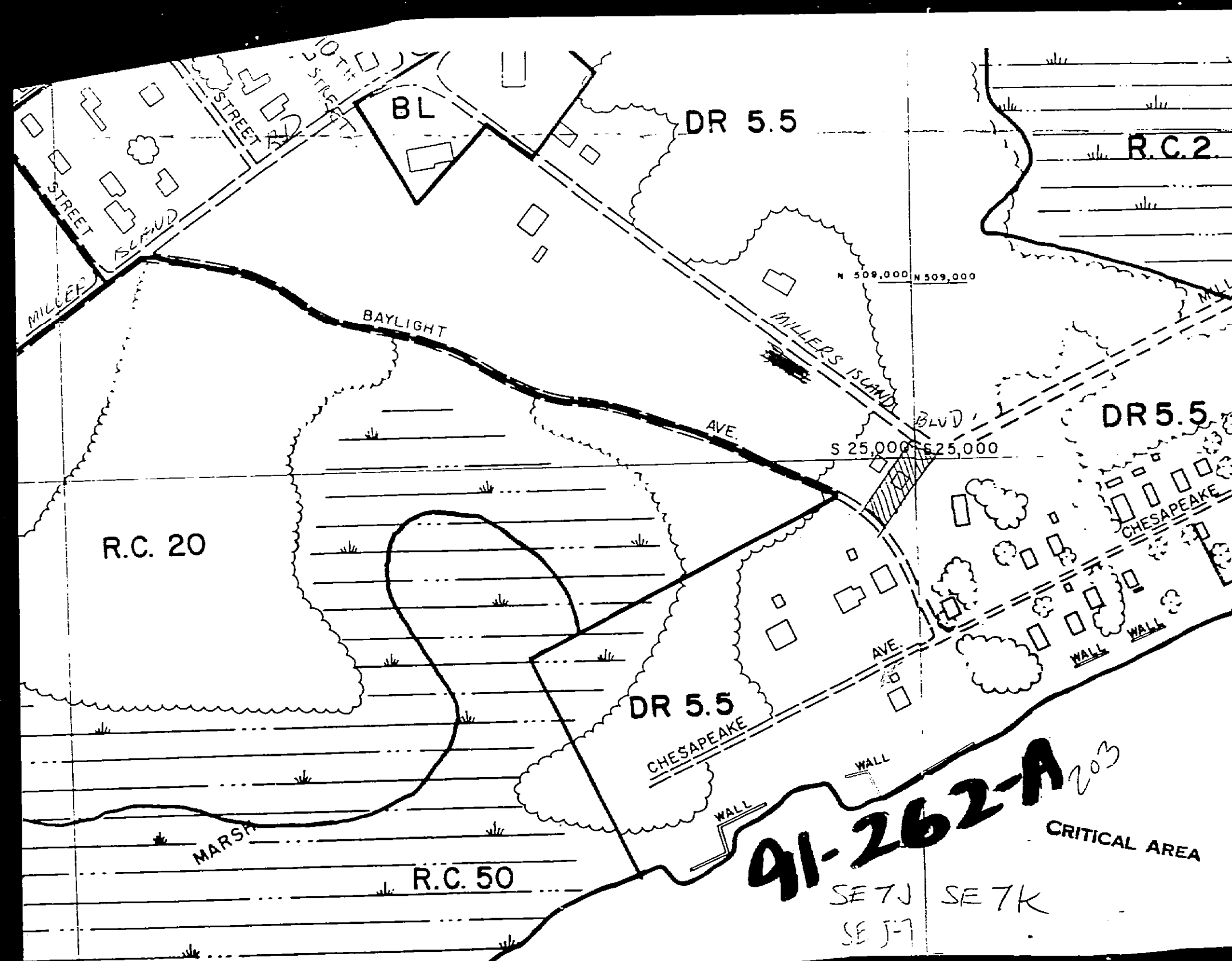
John L. Lewis
John L. Lewis
Planning & Zoning Associate

JLL:jst
cc: Joseph Brown, 8941 Miller Island Blvd., Balto., Md. 21219
File

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
John P. Brown	4300 Webster Lapidum Rd.
Gloria Brown	5941 Miller Island Blvd.
Allison Brown	5941 Miller Island Blvd.



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 8941 Miller's Island Blvd. See pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____
plat book # 9, folio 3, lot # _____, section # _____

OWNER: G. P. BROWN

1,120' TO 410' AVE. ←
MILLER ISLAND BLVD

ALL DIMENSIONS WITHIN
200' FREE MILLERS
ISLAND BLVD.
(FROM BOTH SIDES)
10' LINES

I ACCEPT FULL RESPONSIBILITY
FOR ALL INFORMATION PERTAINING
TO THIS PLAN AND ACKNOWLEDGE
DESCRIPTION BY BALTO. COUNTY

Joseph S. Brown 11-13-90

16' SIDE
BAY LIGHT AVE.

91-262-A

North
date: 11/13/90
prepared by: JLL

Scale of Drawing: 1" = 30'

SEWER: ☒
WATER: ☒
Chesapeake Bay Critical Area: ☒

For Zoning Hearings:

Zoning Office USE ONLY!
reviewed by: _____ ITEM #: _____ CASE#: _____

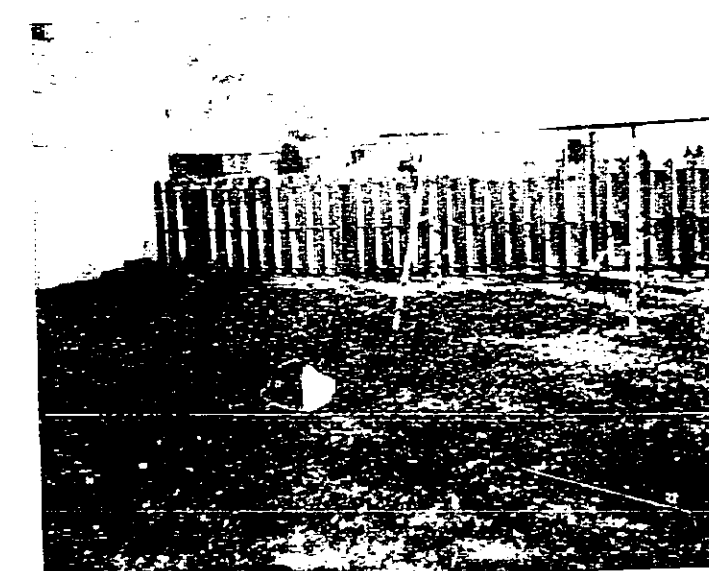
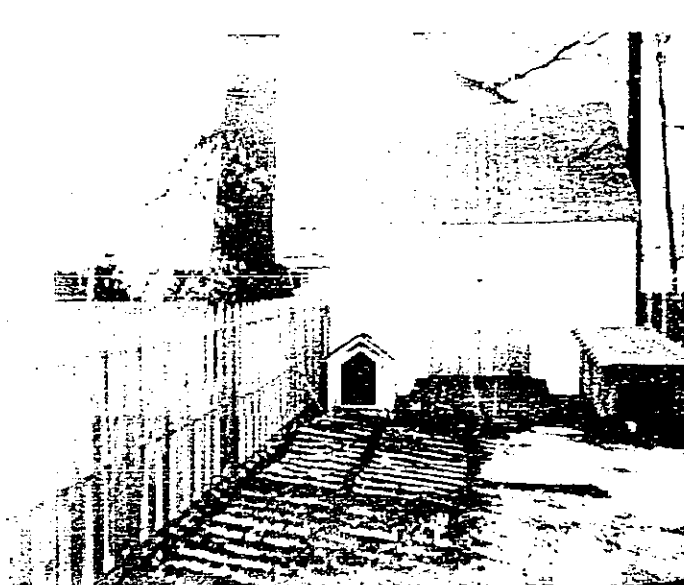
CRITICAL AREA

I/We have no objections to the shed in question that exists on the property known as 8941 Miller's Island Boulevard.

Signature: _____ ADDRESS/PHONE: _____	Signature: _____ ADDRESS/PHONE: _____
Signature: _____ ADDRESS/PHONE: _____	Signature: _____ ADDRESS/PHONE: _____
Signature: _____ ADDRESS/PHONE: _____	Signature: _____ ADDRESS/PHONE: _____
Signature: _____ ADDRESS/PHONE: _____	Signature: _____ ADDRESS/PHONE: _____
Signature: _____ ADDRESS/PHONE: _____	Signature: _____ ADDRESS/PHONE: _____

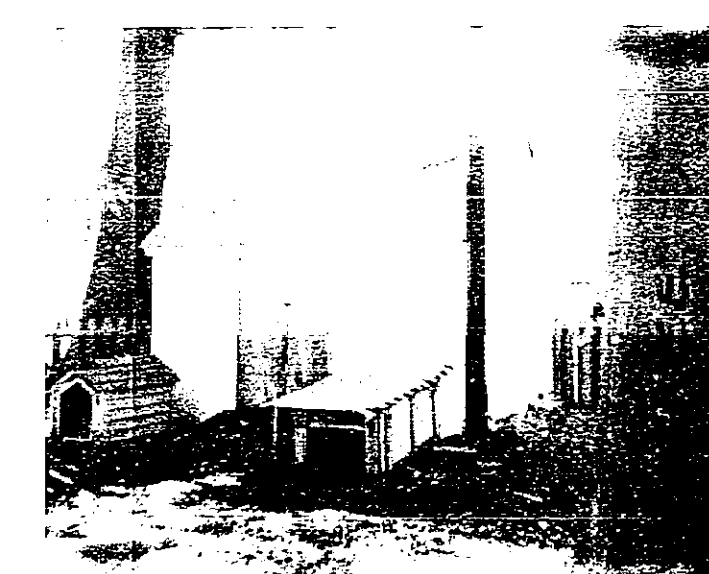
PETITIONER'S
EXHIBIT

CASE NUMBER 91-262-A

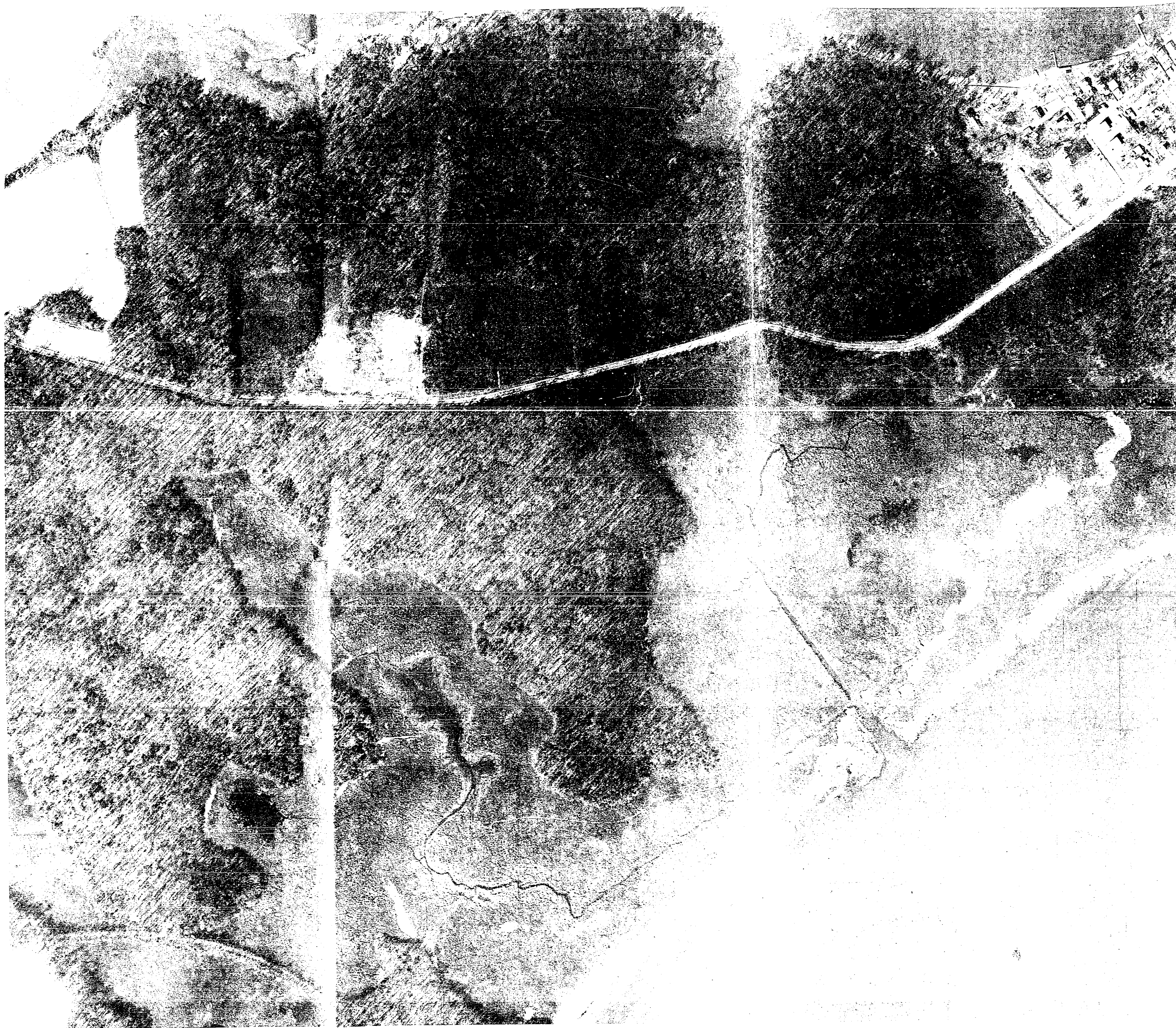


PETITIONER'S EXHIBIT # 3

CASE NUMBER 91-262-A



PETITIONER'S EXHIBIT # 3



91-262-A

SITE

#203

CRITICAL AREA

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200'±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
CUCOLD POINT
BLACK MARSH